REMARKS

Claims 1-11 are all the claims pending in the present application. Claims 1-10 are

rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Mizuno (U.S. Patent No.

6,463,183) in view of Tam et al (U.S. Patent No. 5,754,186). Claim 11 is rejected under

35 U.S.C. § 103(a) as allegedly being unpatentable over Mizuno, Tam, and further in view of

Dempski et al (U.S. Patent Application Publication No. 2004/0155902).

§ 103(a) Rejections (Mizuno/Tam) - Claims 1-10

Claims 1-10 are rejected based on the reasons set forth on pages 2-6 of the present Office

Action. Applicant traverses these rejections at least based on the following reasons.

With respect to independent claim 1, Applicant previously argued that neither Mizuno

nor Tam, either alone or in combination, discloses or suggests at least, "extracting input drawing

static information from a drawn input image every predetermined time," as recited in claim 1. In

response, the Examiner alleges:

> In reference to claims 1-11, Applicant argues that neither Mizuno nor
> Tam, either alone or in combination, discloses or suggests at least,
> "extracting input drawing static information from a drawn input image
> every predetermined time," (see page 12 of Applicant's Remarks).
> Applicant further disputes that even if Mizuno does teach the CPU
> executing in a loop programming structure (see Fig. 8 of Mizuno),
> Mizuno does not teach that one cycle is executed every predetermined
> period. The Office strongly disagrees and points to Fig. 8 of Mizuno.
> The Office interprets the entire process flow shown in Fig. 8 to take x
> amount of time with this amount of time being divided between the
> various steps (S1-S5) of Fig. 8. In view of the above and further with
> reference to Mizuno disclosing the process flow of Fig. 8 executing in a
> loop (see "Main Loop" of Fig. 8) and Mizuno performing extraction of
> objects within the loop (see col. 5, lines 44-48, col. 6, lines 47-50 and
> col. 7, lines 7-20), the Office believes that the "every predetermined
> time" of Applicant's claims is inherent in the teachings of Mizuno.
> Further, since it is well known in the art that programming loops operate
> in cyclic or recurring form, the Office interprets that extraction occurs in
> Mizuno "every predetermined time" because the process flow of Fig. 8 is

recurring and each step in the loop takes a specific amount of time to execute. Therefore, the Office believes Mizuno and Tam to teach all of the claim limitations as applied to claims 1-11 and maintains the previous rejection in view of this prior art.

In response, Applicant submits that the Examiner is utilizing impermissible hindsight reasoning in concluding that the entire process flow shown in Fig. 8 takes a specific predetermined amount of time. There is no teaching or suggestion of such in Mizuno. Further, each of steps S1-S5 could individually take a different amount of time each iteration depending on the type of image that is being processed. Therefore, the Examiner cannot reasonably state that the entire process flow concludes in a predetermined amount of time. Further, the Examiner is obviously utilizing impermissible hindsight reasoning in stating that extracting input drawing static information from a drawn input image every predetermined time is inherent in the teachings of Mizuno. Even if, *arguendo*, programming loops operate in a cyclical recurring form, there is no teaching or suggestion (and it is not inherent) that a particular programming loop occurs in a predetermined amount of time. Therefore, at least based on the foregoing, as well as the arguments previously submitted, Applicant maintains that neither Mizuno nor Tam, either alone or in combination, discloses or suggests at least the above quoted feature of claim 1. Applicant maintains that independent claim 1 is patentably distinguishable over the applied references, either alone or in combination.

Applicant submits that independent claim 7 is patentable at least based on reasons similar to those set forth above with respect to claim 1. Applicant submits that dependent claims 2-6, 8, and 9 are patentable at least by virtue of their respective dependencies from independent claims 1 and 7.
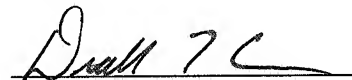
§ 103(a) Rejections (Mizuno/Tam/Dempski) - Claim 11

Applicant submits that claim 11 is patentable at least based on reasons similar to those set forth above with respect to claim 1. Dempski does not make up for the deficiencies of Mizuno and Tam.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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